

HOUSE No.

The Commonwealth of Massachusetts

EXECUTIVE DEPARTMENT



CHARLES D. BAKER
GOVERNOR

KARYN POLITO
LIEUTENANT GOVERNOR

February 27, 2015

To the Honorable Senate and House of Representatives,

I am filing for your consideration a bill entitled “An Act Making Appropriations for the Fiscal Year 2015 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects.”

First and foremost, the bill addresses the consequences of this winter’s unprecedented snow emergency. To achieve that goal, the bill includes \$50 million for snow and ice removal, and creates a \$7 million emergency reserve to mitigate deficiencies at state agencies. The Massachusetts Emergency Management Agency (MEMA) and the National Guard have provided critical, public safety assistance to our cities and towns as they grapple with the unprecedented weather, and this legislation addresses their costs. The bill would also allow municipalities to amortize their own snow and ice deficits over two years, rather than the one year currently required by municipal finance law.

In addition, in many municipalities, property tax payments and abatement applications were due on February 2, when municipalities were closed due to winter weather. Under current law, failure to meet that deadline required interest payments or the outright denial of an abatement request; as a matter of simple fairness, this bill would extend the deadline until March 13, 2015, and toll any penalties until that date.

In addition, the legislation includes funding for the following:

- \$190 million for the Group Insurance Commission, which serves as the insurance broker for the Commonwealth's employees, so that it may fund higher than anticipated increases in healthcare claim costs.
- \$44.2 million for the family emergency assistance program that provides shelter for the Commonwealth's homeless.
- \$35 million for services provided by the Department of Children and Families.
- \$34.7 million for private counsel compensation required by the Committee on Public Counsel Services
- \$2.2 million for the Safe and Successful Youth Initiative, an incredibly effective grant program to help municipalities mitigate the occurrence of violent crime.

In total, the legislation I am filing includes supplemental funding requests of \$391.7 million (\$350.8 million net) to fund obligations. Sufficient revenues are estimated to be available to finance these appropriations.

Many of the above fiscal year 2015 items are time-sensitive, requiring supplemental funding before the end of March. Accordingly, I urge you to enact this legislation promptly.

Respectfully submitted,

Charles D. Baker,
Governor

HOUSE No.

The Commonwealth of Massachusetts

In the One Hundred and Eighty-Ninth General Court
(2015-2016)

An Act making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make supplemental appropriations for fiscal year 2015 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2015, the sums set forth in section 2 are hereby
3 appropriated from the General Fund unless specifically designated otherwise in this act or in
4 those appropriation acts, for the several purposes and subject to the conditions specified in this
5 act or in those appropriation acts, and subject to the laws regulating the disbursement of public
6 funds for the fiscal year ending June 30, 2015. These sums shall be in addition to any amounts
7 previously appropriated and made available for the purposes of those items.

8 SECTION 2

9 JUDICIARY

10		<i>Committee for Public Counsel Services</i>	
11	0321-1510	.....	\$34,708,792
12		EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE	
13		<i>Office of the Secretary for Administration and Finance</i>	
14	1599-4444	.....	\$8,267,872
15		<i>Group Insurance Commission</i>	
16	1108-5200	.....	\$190,000,000
17		<i>Human Resources Division</i>	
18	1750-0300	.....	\$836,137
19		EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES	
20		<i>Office of the Executive Office of Health and Human Services</i>	
21	4000-0005	.....	\$2,200,000
22		<i>Department of Developmental Services</i>	
23	5930-1000	.....	\$3,365,693
24		<i>Department of Elder Affairs</i>	
25	9110-1455	.....	\$2,100,000
26		<i>Department of Public Health</i>	

27 4590-0915 \$1,983,386

28 *Department of Children and Families*

29 4800-0038 \$7,622,823

30 4800-0041 \$27,384,824

31 EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT

32 *Department of Housing and Community Development*

33 7004-0101 \$44,200,000

34 7004-0108 \$300,000

35 EXECUTIVE OFFICE OF TRANSPORTATION AND PUBLIC WORKS

36 *Department of Transportation*

37 1595-6368 \$50,000,000

38 EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY

39 *Department of Corrections*

40 8900-0001 \$5,691,913

41 OFFICE OF THE STATE COMPTROLLER

42 *Office of the State Comptroller*

43 1599-3384 \$6,000,000

SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to provide for an alteration of purpose for current appropriations, and to meet certain requirements of law, the sum set forth in this section is hereby appropriated from the General Fund unless specifically designated otherwise in this section, for the several purposes and subject to the conditions specified in this section, and subject to the laws regulating the disbursement of public funds for the fiscal year ending June 30, 2015. This sum shall be in addition to any amounts previously appropriated and made available for the purposes of those items. This sum shall be made available until June 30, 2015.

EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

Office of the Secretary for Administration and Finance

1599-2015 For a reserve to reimburse state agencies for extraordinary expenses incurred as a result of severe winter storms affecting the Commonwealth in 2015; provided, that the secretary for administration and finance may transfer from this item to other items of appropriation and allocations thereof for fiscal year 2015 amounts necessary to meet these costs where the amounts otherwise available are insufficient for the purpose, in accordance with a transfer plan which shall be filed in advance with the house and senate committees on ways and means \$7,000,000

Municipal Property Tax Abatements

SECTION 3. Section 57 of chapter 59 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following paragraph:-

Notwithstanding the foregoing provisions, when the last day for making a tax payment without incurring interest falls on a Saturday, Sunday, legal holiday, or day on which municipal offices are closed as authorized by charter, by-law, ordinance or otherwise for a weather-related or public safety emergency, the payment may be made on the next succeeding day.

SECTION 4. Section 57C of chapter 59 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

Notwithstanding the foregoing provisions, when the last day for making a tax payment without incurring interest falls on a Saturday, Sunday, legal holiday, or day on which municipal offices are closed as authorized by charter, by-law, ordinance or otherwise for a weather-related or public safety emergency, the payment may be made on the next succeeding day.

Participating Providers

SECTION 5. Section 9 of chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after paragraph 3 the following paragraph:-

4. He has applied to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purpose of ordering and referring services covered under such program, provided that regulations governing such limited participation are promulgated under chapter 118E.

SECTION 6. Section 9F of chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:-

85 The board shall require as a condition of granting or renewing a physician assistant's
86 certificate of registration, that the physician assistant apply to participate in the medical
87 assistance program administered by the secretary of health and human services in accordance
88 with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or
89 waiver relating to such medical assistance program for the limited purpose of ordering and
90 referring services covered under such program, provided that regulations governing such limited
91 participation are promulgated under chapter 118E.

92 SECTION 7. Section 24B 1/2 of chapter 112 of the General Laws, as so appearing, is
93 hereby amended by striking out, in lines 42 to 46, the words, “and (5) agree to complete, in each
94 year of the agreement, at least 5 additional contact hours or 0.5 continuing education units of
95 board-approved continuing education that addresses areas of practice generally related to
96 collaborative practice agreements,” and inserting in place thereof the following words:-

97 (5) agree to complete, in each year of the agreement, at least 5 additional contact hours
98 or 0.5 continuing education units of board-approved continuing education that addresses areas of
99 practice generally related to collaborative practice agreements; and (6) apply to participate in the
100 medical assistance program administered by the secretary of health and human services in
101 accordance with chapter 118E and Title XIX of the Social Security Act and any federal
102 demonstration or waiver relating to such medical assistance program for the limited purpose of
103 ordering and referring services covered under such program, provided that regulations governing
104 such limited participation are promulgated under chapter 118E.

105 SECTION 8. Section 119 of chapter 112 of the General Laws, as so appearing, is hereby
106 amended by adding the following subsection:-

(e) has applied to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purpose of ordering and referring services covered under such program, provided that regulations governing such limited participation are promulgated under chapter 118E. A psychologist who chooses to participate in such medical assistance program as a provider of services shall be deemed to have fulfilled this requirement.

SECTION 9. Section 131 of chapter 112 of the General Laws, as so appearing, is hereby amended by adding the following sentence:-

Said individual shall also apply to participate in the medical assistance program administered by the secretary of health and human services in accordance with chapter 118E and Title XIX of the Social Security Act and any federal demonstration or waiver relating to such medical assistance program for the limited purpose of ordering and referring services covered under such program, provided that regulations governing such limited participation are promulgated under chapter 118E.

COMMBUYS Technical Change

SECTION 10. Subsection (f) of section 44D½ of chapter 149, as so appearing, is hereby amended by striking out, in line 124, the word "COMPASS" and inserting in place thereof the following word:- "COMMBUYS".

Provider Networks

SECTION 11. Section 22 of chapter 176O of the General Laws, as so appearing, is hereby amended by striking out, in line 4, the words, "and nurse practicing in an advance practice nursing role," and inserting in place thereof the following words:-

nurse practicing in an advance practice nursing role, intern and resident, physician assistant, pharmacist with a collaborative practice agreement, psychologist and licensed independent clinical social worker,

Connector Board Change

SECTION 12. Subsection (b) of section 2 of chapter 176Q of the General Laws, as so appearing, is hereby amended in line 15 by striking out the words "for administration and finance" and inserting in place thereof the following words:- of health and human services.

SECTION 13. Said subsection (b) of section 2 of said chapter 176Q, as so appearing, is hereby further amended by striking out, in line 16, the words "director of Medicaid" and inserting in place thereof the following words:- secretary for administration and finance.

Early Education and Care Transferability

SECTION 14. Item 3000-1000 in Section 2 of chapter 165 of the acts of 2014, is hereby amended by striking out the words, "provided further, that the total transfers from any 1 item shall not exceed 3 percent of the item's total funding".

Municipal Snow and Ice

SECTION 15. Notwithstanding section 23 of chapter 59 of the General Laws, section 31D of chapter 44 of the General Laws, or any other general or special law to the contrary, any city or town may amortize over the 2 fiscal years, 2016 and 2017, in equal installments or more

148 rapidly, the amount of its fiscal year 2015 snow and ice removal deficit. The local appropriating
149 authority as defined in section 21C of chapter 59 of the General Laws shall adopt a deficit
150 amortization schedule in accordance with the preceding sentence, before setting the
151 municipality's fiscal year 2016 tax rate. The commissioner of revenue may issue guidelines or
152 instructions for reporting the amortization of deficits authorized by this section.

153 Municipal Property Tax Abatements

154 SECTION 16. Notwithstanding section 57, section 57C or section 59 of chapter 59 of the
155 General Laws, an owner of property subject to tax under chapter 59 of the General Laws that was
156 required under said sections to make a payment or file an abatement application on February 2,
157 2015 may make such payment or file such application not later than March 13, 2015, as
158 otherwise provided under said sections, without penalty or loss of legal rights that would result
159 solely from the timing of the payment or the filing of the application

160 Collective Bargaining Agreements

161 SECTION 17. The salary adjustments and other economic benefits authorized by the
162 following collective bargaining agreements shall be effective for the purposes of section 7 of
163 chapter 150E of the General Laws:

- 164 1) Between the University of Massachusetts and the Massachusetts Society of
165 Professors MTA/NEA, Amherst & Boston Campuses, Units A50 & B40;
- 166 2) Between the Commonwealth of Massachusetts and the Massachusetts Nurses
167 Association, Unit 7;

- 168 3) Between the University of Massachusetts and the International Brotherhood of
169 Police Officers, Local 432, Amherst Campus, Unit A06;
- 170 4) Between the University of Massachusetts and the New England Police Benevolent
171 Protection Organization, Amherst Campus, Unit A07;
- 172 5) Between the University of Massachusetts and the University Staff
173 Association/MTA/NEA, Amherst Campus, Unit A08;
- 174 6) Between the University of Massachusetts and the Classified Staff
175 Union/MTA/NEA, Boston Campus, Units B31 & B32;
- 176 7) Between the University of Massachusetts and the AFT Massachusetts Maintainers
177 AFL-CIO, Local 6350, Dartmouth Campus, Unit D83;
- 178 8) Between the University of Massachusetts and the International Brotherhood of
179 Teamsters, Local 25, Lowell Campus, Unit L94;
- 180 9) Between the University of Massachusetts and the Classified and Technical Union,
181 Lowell Campus, Unit L92;
- 182 10) Between the University of Massachusetts and the Maintenance and Trades
183 Unit/MTA/NEA, Lowell Campus, Unit L93.
- 184 SECTION 18. Except as otherwise provided, this act shall take effect upon its enactment.